

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

CRUZ LARA and CARMEN LARA,

Plaintiffs,

v.

Civ. No. 20-1268 WJ/GBW

ALLSTATE INSURANCE COMPANY and  
RIC HARTLINE,

Defendants.

**ORDER GRANTING DEFENDANT ALLSTATE INSURANCE COMPANY'S  
MOTION FOR PROTECTION ORDER**

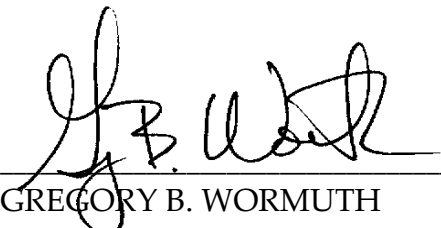
THIS MATTER comes before the Court on Defendant Allstate Insurance Company's Motion for Protective Order. *Doc. 46*. On January 4, 2022, Plaintiffs noticed the deposition of Defendant's expert, Rod Rennison of Rimkus Consulting Group, for January 12, 2022, and subpoenaed documents from him, including the following: (i) Mr. Rennison's complete expert file; (ii) copies of all reports written by Mr. Rennison, prepared by him, or prepared at his direction; (iii) Mr. Rennison's case notes about this action; (iv) communications between Mr. Rennison and anyone else about the case; and (v) all information upon which Mr. Rennison based his conclusions, including all facts or data provided by Defendant's attorney that Mr. Rennison considered in forming his opinions. *See doc. 46-1*. Defendant seeks a protective order that limits Mr. Rennison's

production to the non-privileged material that Federal Rule of Civil Procedure 26(a)(2)(B) requires experts to include in their written reports. *See doc. 46* at 1.

Local Rules give a party fourteen (14) days to respond to a motion absent a request for an extension and provide that “[t]he failure of a party to file and serve a response in opposition to a motion within the time prescribed for doing so constitutes consent to grant the motion.” D.N.M. LR-Civ. 7.1(b); D.N.M. LR-Civ. 7.4(a). More than fourteen days have passed since Defendant filed the instant Motion without Plaintiffs filing a response or requesting the Court to extend the deadline for them to do.

Accordingly, IT IS HEREBY ORDERED that Defendant’s Motion for Protective Order (*doc. 46*) is GRANTED. Mr. Rennison’s obligations under the January 4, 2022, subpoena are limited to producing the non-privileged material required by Federal Rule of Civil Procedure 26(a)(2)(B).

**IT IS SO ORDERED.**

  
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GREGORY B. WORMUTH  
UNITED STATES MAGISTRATE JUDGE